Attorney Docket No: 129510.11401 PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Timothy Robinson

Serial No.: 09/765,789 Examiner: Kirsten S. Apple

Confirmation No.: 1385 Art Unit: 3628

Filed: 01/19/2001

For: SYSTEM AND METHOD FOR BIOLOGICAL AUTHORIZATION FOR

FINANCIAL TRANSACTIONS

Commissioner for Patents Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(c)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08A is enclosed.
- [] Pursuant to the U.S. Patent and Trademark Office's waiver of 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003, no copies of U.S. patents and patent applications cited in the attached Form PTO/SB/08 are being provided.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_ to which the aboveidentified application claims priority under 35 U.S.C. §120.
- [] Publication(s) \_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_ application serial no. \_\_ and mailed on \_.
- Enclosed is a copy of a non-English publication(s) \_\_\_\_\_ Pursuant to \$609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- [] Enclosed is a copy of a non-English publication(s) \_\_\_. English language publication (copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) \_\_\_ for which an English translation is not available.

- Enclosed is an English translation of non-English publication(s) \_\_\_ cited in the attached Form PTO/SB/08A.
- [X] The Examiner's attention is directed to co-pending patent Application Serial No. 11/034,051, filed January 13, 2005, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of a final action under 37 C.F.R. §1.13; a notice of allowance under 37 C.F.R. §1.311; or an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. §1.97(c) also enclosed is:

- [X] Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00; or
- Statement as specified in 37 C.F.R. \$1.97(e):
  - Each item of information contained in the Information Disclosure
     Statement cited herein was first cited in a communication from a foreign
     patent office in a counterpart foreign application not more than three
     months prior to the filing date of the Information Disclosure Statement;
     or
  - No item of information contained in the Information Disclosure
    Statement submitted herewith was cited in a communication from a
    foreign patent office in a counterpart foreign application, and, to the
    knowledge of the undersigned, having made a reasonable inquiry, no
    item of information contained in the Information Disclosure Statement
    was known to any individual designated in 37 C.F.R. §1.56(c) more than
    three months prior to the filing date of the Information Disclosure
    Statement.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Respectfully submitted,

PEPPER HAMILTON LLP

Raymond A. Miller Registration No. 42,891

Pepper Hamilton LLP 500 Grant Street, 50th Floor Pittsburgh, PA 15219 Telephone: (412) 454-5000 Facsimile: (412) 281-0717 Date: August 6, 2007

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PTO/SB/08A (08-00)

Substitute for form 1449A/PTO  INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known							
				Application Number 09/765,789							
				Filing Date		01/19/2001					
				First N	amed Inventor	ROBINSON 3628					
					Group					Art Unit	
(use as many sheets as necessary)				Examiner Name		Kirsten S. Apple					
Sheet	1	of	1		Attorne	ney Docket Number   129510.11401					
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 EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>&</sup>lt;sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached